

# BEAVERTON POLICE DEPARTMENT

# GENERAL ORDER

Number: 5.03.00  
Subject: EMPLOYEE SPEECH, EXPRESSION AND SOCIAL NETWORKING  
Effective: JULY 18, 2011  
Review: JULY 2013, 2015, 2017, 2019, 2021

1. PURPOSE. This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the legitimate needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any employee's communication, speech or expression that has been clearly established as protected or privileged.

2. APPLICABILITY. This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

3. POLICY. Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Beaverton Police Department will carefully balance the individual employee's rights against the Department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

4. SAFETY. Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Beaverton Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety or privacy of any employee, an employee's family or associates.

5. PROHIBITED SPEECH, EXPRESSION AND CONDUCT. To meet the Department's safety, performance and public-trust needs, the following is prohibited:

- A. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Beaverton Police Department or its employees.
- B. Speech or expression that, while not made pursuant to an official duty is significantly linked to, or related to, the Beaverton Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Beaverton Police Department or its employees.
- C. Speech or expression that could reasonably be foreseen as creating a negative impact on the credibility of the employee as a witness (e.g., posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior).
- D. Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- E. Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the expressed authorization of the Chief of Police or his/her designee (or any other act that would constitute a misuse of public information in violation of ORS 162.425).
- F. Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Beaverton Police Department on any personal or social networking or other website or web page, without the express written permission of the Chief of Police.
- G. When notified or when reasonable knowledge exists about a violation, the failure to take reasonable and prompt action to remove any content that is in violation of this policy and/or posted by others from any web page or website maintained by the employee (e.g., social or personal website).
- H. Use of any personal communication device, game device or media device, whether personally or department owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communications may be warranted by the circumstances (e.g., inform family of extended hours).
2. During meal and/or breaks, however, such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

6. **UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS.** Unless specifically authorized by the Chief of Police, employees may not represent the Beaverton Police Department or identify themselves in any way as being affiliated with the Beaverton Police Department in order to do any of the following:

- A. Endorse, support, oppose or contradict any political campaign or initiative.
- B. Endorse, support, oppose or contradict any social issue, cause or religion.
- C. Endorse, support or oppose any product, service, company or other commercial entity.
- D. Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through some unofficial group or organization (e.g. bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Beaverton Police Department.

A notice of restrictions on political activities by employees will be posted and maintained by the Department in a place that is conspicuous to all employees as required by law (ORS 260.432).

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes.

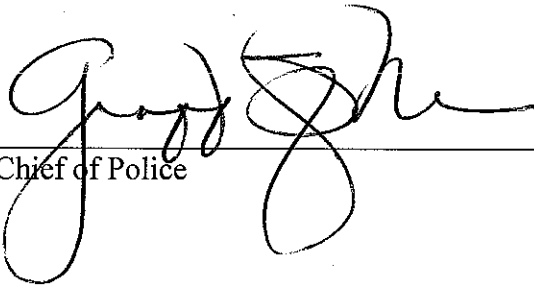
7. **PRIVACY EXPECTATION.** Employees forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any Internet site open to public view (e.g., Facebook, MySpace).

The Department also reserves the right to access, audit and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is

issued or maintained by the Department, including the department e-mail system, computer network or any information placed into storage on any department system or device.

All messages, pictures and attachments transmitted, accessed or received over department networks are considered department records and, therefore, are the property of the Department.

The Department reserves the right to access, audit and disclose for whatever reason all messages, including attachments, that have been transmitted, accessed or received through any department system or device, or any such information placed into any department storage area or device. This includes records of all key-strokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through a department computer or network.

  
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Chief of Police

July 18, 2011  
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Date